

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

JOHNNY POTTS and JANICE POTTS, §

Plaintiffs, § Civil Action No.

v. § 3:06-cv-00124-WHA-CSC

DYNCORP INTERNATIONAL LLC, §

JAMES McCANTS, et al., §

§

Defendants.

**DEFENDANT DYNCORP INTERNATIONAL LLC'S MOTION
FOR LEAVE TO REPLY TO PLAINTIFFS' RESPONSE
TO MOTION TO AMEND ANSWER**

COMES NOW defendant DynCorp International LLC (“DynCorp”) and moves the Court for leave to file a reply to the plaintiffs’ response (Doc. 40) to “Defendant DynCorp International LLC’s Motion to Amend Answer” (Doc. 27) no later than October 27, 2006. The ground for this motion is that certain incorrect characterizations of the facts and incorrect legal arguments should be brought to the Court’s attention.

WHEREFORE, defendant DynCorp International LLC prays that the Court would grant it leave to file a reply to the plaintiffs’ response no later than October 27, 2006.

Respectfully submitted,

By: /s/ Wm. Steele Holman II

William Steele Holman II

Bar Number: HOL051

John W. Clark IV
Bar Number: CLA087
Attorneys for defendants James McCants
and DynCorp International LLC
Armbrecht Jackson LLP
Post Office Box 290
Mobile, Alabama 36601
Telephone: (251) 405-1300
Fax: (251) 432-6843
E-mail: wsh@ajlaw.com
jwc@ajlaw.com

Of Counsel:

William Larkin Radney III
Bar Number: RAD001
Barnes & Radney PC
P.O. Box 877
Alexander City, Alabama 35010-0877
(256) 329-8438 (voice)
(251) 329-0809 (fax)
lradney@bellsouth.net

CERTIFICATE OF SERVICE

I certify that on October 17, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Larry W. Morris
kbaker@morrishaynesandhornsby.com
Nancy L. Eady
neady@morrishaynesandhornsby.com

William Larkin Radney III
lradney@bellsouth.net

By /s/ William Steele Holman II